

Appl. No. 10/042,004
Amdt. dated January 23, 2004
Reply to Office action of October 23, 2003

REMARKS

35 U.S.C. §102(b)

The Examining Attorney has rejected claims 1-5, 7, 9, 15-25, 27-33, 35, 37 and 39-53 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,687,971 to Khaladkar. Applicant has amended claims 1, 5, 30 and 33 to more concisely define applicant's invention.

Khaladkar discloses a bingo management method. In general terms, the method includes storing a series of bingo cards in computer memory and printing corresponding bingo cards for player use. Barcodes on each bingo card are used to confirm winning cards. A central computer tracks the card status as the bingo game progresses. A monitor (13) informs personnel of one or more winning bingo cards. Also, Khaladkar discloses the use of individual video display units (21) which allow players to electronically mark displayed bingo cards (5:50-54).

Of utmost importance and relevance to the issue at hand, Khaladkar requires player interaction to successfully conclude a bingo game. That is, in a conventional fashion, players must announce "BINGO" in order for the particular game to terminate (5:54-57; 11:18-22). In particular, Khaladkar states that "the player's terminal does all the work except alerting the caller to the fact that the player has won a bingo—the player must still do that" and "information is not used to inform players since it is of course a rule of bingo that a winner cannot be claimed unless the call of "BINGO" is made at the time of winning." The embodiments of the present application eliminate such player interaction by utilizing a computer or the like to first tracking the status of bingo cards and determining which cards are winners. Second, upon determining one or more bingo cards are winners, the computer causes the random number generating means to cease operation. The computer then determines a payout for the one or more winning cards. Then, after a predetermined delay, and regardless of a player shouting "BINGO," the next bingo game is started. In this manner, bingo players are free to move about a gaming establishment

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while bingo games are played. At some time later, players may return to a kiosk or cashier location to check their bingo cards for winners. Indeed, checking for winning cards may take place days after the actual bingo game was played.

It is well settled that a claim is anticipated only if each and every limitation is found either expressly or inherently in a single prior art reference. *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 715 (Fed. Cir. 1984). Both claims 1 and 30 recite that the random number generation is caused to stop (i.e., bingo game concludes), in response to the determination, by the data processing means or computer (or their equivalents), that one or more cards are winners. This is done automatically without the necessity of a player having to notify personnel of the occurrence of a bingo. After a predetermined delay a next bingo game is started under the same rules. Although Khaladkar's central computer (10) automatically plays the game simultaneously on each of the bingo cards the winning card (30A) is displayed only on the caller's monitor (13) (11:12-15). Similarly, if two or more winning cards are ascertained, they are displayed only on the caller's monitor (13). As Khaladkar fails to disclose, and further teaches away from, a bingo game which automatically concludes in response to a central computer or data processing means determining that one or more bingo cards are winners, Khaladkar cannot anticipate claims 1 or 30 or their dependents.

It is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are respectfully requested. Should any questions remain regarding the allowability of the application, the examiner is invited to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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Date: January 23, 2004

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of fees which may be required by this paper to Deposit Account No. 502466 including any fee for extension of time, or the fee for additional claims which may be required. Please show our docket number with any Deposit Account transaction. A copy of this letter is enclosed.

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